UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 5,820,170

: October 13, 1998

Page 1 of 1

DATED : October INVENTOR(S) : Clancy

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

References Cited, U.S. PATENT DOCUMENTS, add the following:

-- 4,643,005 02/1987 Logas --

Signed and Sealed this

Tenth Day of December, 2002

JAMES E. ROGAN
Director of the United States Patent and Trademark Office

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1	1 9 2002 0		Application	Serial Number	08/7	86,667
MR 1 3 DOT HI			Filing Date		Jana	ury 21, 1997
PER !	TRADENAME A	First Named Group Art U Examiner Na Attorney Do		Inventor	Clan	су
	TRANSMITTA			Init	3633	3
				ame	B. G	reen
	FORM			cket No.	BSI-	-021
		Patent No.			5,82	0,170
		Issue Date			Octo	ber 13, 1998
		E		heck all that apply)		
☐ F	ee Transmittal Form			e to File Missing cation (PTO-1553)		Notice of Appeal to Board of Patent Appeals and Interferences
	Check Attached Copy of Fee Transmittal Form		Formal Drawin	,		Appeal Brief (in triplicate)
	Amendment/Response		Request For C Examination (I Transmittal			Status Inquiry
	After Final		•		\boxtimes	Return Receipt Postcard
	☐ Affidavits/declaration(s) ☐ Letter to Official ' Draftsperson		Power of Attor (Revocation of	Prior Powers)	⊠	Certificate of First Class Mailing under 37 C.F.R. 1.8
including Drawings [Total Sheets] Terminal Dis		Terminal Disc	laimer		Certificate of Facsimile Transmission under 37 C.F.R. 1.8	
	Petition for Extension of Time	Executed Declaration a of Attorney for Utility of Patent Application		Utility or Design	\boxtimes	Additional Enclosure(s) (please identify below)
						Copy of Office Action mailed on August 20, 1997 (8 pp.)
	Statement			tatement		
Form PTO-1449 Copies of IDS Citations		CD(s) for large table or computer program				
	Certified Copy of Priority		Amendment A	fter Allowance	Certificate	
	Document(s)	\boxtimes	Request for Co	ertificate of	. AUG 2 2 2002	
	Sequence Listing submission Paper Copy/CD Computer Readable Copy Statement verifying identity of above		Correction Certificate duplicate)	of Correction (in		of Correction
CORI	RESPONDENCE ADDRESS			SIGNATURE BL	оск	
Direct all correspondence to: Patent Admi Testa, Hurw High Street 125 High St Boston, MA Tel. No.: (6) Fax No.: (6)			Thibeault, LLP 0 8-7000	Date: August 13, 20 Reg. No. 45,349 Tel. No.: (617) 248- Fax No.: (617) 248-	₋₇₆₇₇ (Respectfully submitted, Joseph P. Sullivan Attorney for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

JSULLIVA\354\45.2471230_1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS:

Clancy

PATENT NO.

5,820,170

GROUP NO.

3633

ISSUED:

October 13, 1998

SERIAL NO.

08/786,667

EXAMINER

B. GREEN

FILING DATE

January 21, 1997

TITLE:

MULTI-POINT LATCH SYSTEM FOR SLIDING PATIO

DOORS

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Certificate of Correction Branch, Assistant Commissioner for Patents, Washington, DC 20231 on this 13th day of August, 2002.

Mary E/Higdon

Certificate of Correction Branch Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith are the following: Transmittal Form (1 pg.); Request for Certificate of Correction Under 35 U.S.C. § 254 (2 pp.); Certificate of Correction (1 pg.); duplicate of Certificate of Correction (1 pg.); Copy of Office Action mailed on August 20, 1997 (8 pp.); and a return receipt postcard.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Clancy

PATENT NUMBER:

5,820,170

GROUP NO.

3633

ISSUE DATE:

October 13, 1998

SERIAL NO.:

08/786,667

FILING DATE:

January 21, 1997

EXAMINER:

B. Green

TITLE:

Multi-Point Latch System for Sliding Patio Doors

Assistant Commissioner for Patents Washington, D.C. 20231

Attention: Certificate of Correction Branch

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 35 U.S.C. § 254

The Assignee of record in the above-referenced patent, Sash Controls, Inc., by virtue of an assignment recorded at Reel 8404, Frame 0531, hereby requests that a Certificate of Correction be issued for U.S. Patent No. 5,820,170 under 35 U.S.C. § 254 and 37 C.F.R. § 1.322. Please insert the language that appears in the enclosed Certificate of Correction.

U.S. Patent No. 4,643,005 to Logas was considered by the Examiner as evidenced by the enclosed copy of an Office Action, which was mailed on August 20, 1997, (Part of Paper No. 2), and was inadvertently omitted by the U.S. Patent and Trademark Office from the cover sheet of the patent. Correction is respectfully requested. Because this mistake was on the part of the Office, Assignee respectfully submits that no fee is due under 37 C.F.R. § 1.322.

Clancy U.S. Pat. No. 5,820,170

If there are any questions regarding this matter, please contact Assignee's undersigned representative at the telephone number identified below.

Respectfully submitted,

Date: August 13, 2002

Joseph P. Sullivan Attorney for Assignee Reg. No.: 45,349

Testa, Hurwitz, & Thibeault, LLP High Street Tower 125 High Street Boston, Massachusetts 02110

Tel. No.: (617) 248-7677 Fax No.: (617) 248-7100

JSULLIVA\354\45.2470999_1

UNITED STATES PATENT AND TRADEMARK OFFICE **CERTIFICATE OF CORRECTION**

PATENT NO. : 5,820,170

DATED : October 13, 1998

INVENTOR(S): Clancy

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown

below: Title Page

On the cover sheet of the patent, after References Cited, U.S. PATENT DOCUMENTS, add the following:

--4,643,005 02/1987 · Logas--

MAILING ADDRESS OF SENDER: Patent Administrator PATENT NO.: 5,820,170

Testa Hurwitz & Thibeault, LLP

High Street Tower 125 High Street Boston, MA 02110 (617) 248-7795

JSULLIVA\354\45.2471129_1

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 5,820,170

DATED : October 13, 1998

INVENTOR(S): Clancy

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover sheet of the patent, after References Cited, U.S. PATENT DOCUMENTS, add the following:

--4,643,005 02/1987

Logas--

MAILING ADDRESS OF SENDER: Pa

Patent Administrator

PATENT NO.: 5,820,170

Testa Hurwitz & Thibeault, LLP

High Street Tower 125 High Street Boston, MA 02110 (617) 248-7795

JSULLIVA\354\45.2471129_1



CLANCY

UNITED STATE EPARTMENT OF COMMERCE Patent and Trac Aark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

FIRST NAMED APPLICANT

ATTY, DOCKET NO. SSH-016

DONALD L WOOD YOUNG AND BASILE SUITE 624 3001 W BIG BEAVER TROY MI 48084-3109

FILING DATE

01/21/97

APPLICATION NUMBER

08/786,667



PAPER NUMBER ART UNIT 3508

EXAMINER

DATE MAILED: US/20/97

		AUEMAN	α
	This is a communication from the examiner in charge of COMMISSIONER OF PATENTS AND TRADEMARKS	f your application.	Due: 11/20/9
	, .	FFICE ACTION SUMMARY	DOCKET # 5794
	,	TICE ACTION SOMMANT	DOCKET# 5794
Ø	Responsive to communication(s) filed on	01/21/97	
	This action is FINAL.		
	Since this application is in condition for allowance accordance with the practice under Ex parte Que		on as to the merits is closed in
whi the	hortened statutory period for response to this acti chever is longer, from the mailing date of this com application to become abandoned. (35 U.S.C. § 36(a).	munication. Failure to respond within	he period for response will cause
Dis	position of Claims	and the same of th	
	•		•
Y	Claim(s) 1-18 Of the above, claim(s)		is/are pending in the application.
$\overline{}$	Claim(s)		is/are withdrawn from consideration. is/are allowed.
H	Claim(s). 1-7, 10-12, 5	14-18	is/are rejected.
ŏ	Claim(s) 3-9 7		ls/aré objected to.
	Claim(s)	are s	ubject to restriction or election requirement.
	See the attached Notice of Draftsperson's Patent The drawing(s) filed on The proposed drawing correction, filed on The specification is objected to by the Examiner. The oath or declaration is objected to by the Examiner.	is/are objected	to by the Examineris approved disapproved.
Pric	ority under 35 U.S.C. § 119		
	Acknowledgment is made of a claim for foreign p	riority under 35 U.S.C. § 119(a)-(d).	(
	All Some* None of the CERTIFII	ED copies of the priority documents ha	ve been
	received. received in Application No. (Series Code/Series Code/Series received in this national stage application from		17.2(a)).
•	Certified copies not received:	,	<u> </u>
	Acknowledgment is made of a claim for domestic	priority under 35 U.S.C. § 119(e).	The state of the state of the state of
Att	achment(s)		RECFIVED
Ø	Notice of Reference Cited, PTO-892		
	Information Disclosure Statement(s), PTO-1449,	Paper No(s)	AUG 2 5 1997
	Interview Summary, PTO-413	1944	
_ g	Notice of Draftperson's Patent Drawing Review, I	PTO-948	YOUNG & BASILE, P.C.
\Box	Notice of Informal Patent Application, PTO-152		2001/ 7/26
_	OFF OFFI	SE ACTION ON THE FOLLOWING SA	max-3/20/9

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

PTOL-326 (Rev. 9/96)

U.S. GPO: 1996-421-632/4020

Art Unit:

Claim Rejections - 35 USC § 112

1. Claim 6 recites the limitation "the upper hole and lower hole". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,643,065 to Logas.

In reference to claims 1-2, Logas discloses a multi-point sliding door latch comprising: a unitary hollow housing; a pair of vertically spaced upper and lower hooks each mounted in the housing for movement between a retracted, unlatched position within the hollow of the housing and an extended, latched position extending out of the hollow of the housing; a actuator means positioned in the housing intermediate the upper and lower hooks, and operative in response to turning movement of a tail member to move the upper and lower hooks in unison between their unlatched and latched positions; and the hooks are pivotally mounted in the housing.

Art Unit:

Claim Rejections - 35 USC § 103

- 4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 5. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 4,643,065 to Logas in view of U.S. Pat. No. 1,716,113 to Carlson.

In reference to claims 5-6, Logas discloses all of the applicant's claimed limitations except for a sidewall having upper and lower openings wherein the upper hole is positioned vertically between the actuator means and the upper hook and the lower hole is positioned vertically between the actuator means and the lower hook. Carlson discloses a housing having a sidewall having upper and lower openings for a fastener 35 wherein the upper hole is positioned vertically between the actuator means and the upper hook and the lower hole is positioned vertically between the actuator means and the lower hook. It is well known in the art to place fastener holes between the hook and actuating members of a locking mechanism, and it would have been obvious to place the upper and lower holes in the sidewall of Logas as taught by Carlson in order to mount the housing to the stile.

6. Claims 1-4, 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 3,413,025 to Sperry in view of U.S. Pat. No. 4,643,065 to Logas.

Art Unit:

In reference to claims 1-4, 7, and 10, Sperry discloses a multi-point sliding door latch comprising: a unitary hollow housing; a pair of vertically spaced upper and lower hooks each mounted in the housing for movement between a retracted, unlatched position within the hollow of the housing and an extended, latched position extending out of the hollow of the housing;/a actuator means positioned in the housing intermediate the upper and lower hooks, and operative in response to turning movement of a tail member to move the upper and lower hooks in unison between their unlatched and latched positions; the actuator means comprises upper and lower actuators positioned in vertically spaced side-by-side relation in the housing and each pivotally mounted in the housing, and the actuators are ganged together by a gang link so that pivotal movement of one actuator generates corresponding pivotal movement of the other actuator; the latch further includes an upper link interconnecting the upper actuator and the upper hook and a lower link interconnecting the lower actuator and the lower hook; Sperry fails to disclose the hooks are pivotally mounted in the housing; the hooks move in opposite directions about their respective pivot axes, and each are pivotally mounted in the housing for movement between a retracted, unlatched position within the hollow of the housing and an extended, latched position extending out of the hollow of the housing.

7. Claims 11-12 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 3,413,025 to Sperry in view of U.S. Pat. No. 4,643,065 to Logas, and further in view of U.S. Pat. No. 3,162,472 to Rust.

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Art Unit:

In reference to claims 11-12 and 14-18, Sperry ,as modified, discloses all of the applicant's claimed limitations except for a handle assembly including an escutcheon plate adapted to be mounted on the stile of the door, a handle mounted on the escutcheon plate, a latch actuator device mounted on the escutcheon plate and including a tail member adapted to extend through an aperture in the stile for receipt by the actuator member, and upper and lower fastener members extending through upper and lower holes in the escutcheon plate, through the stile, and through the upper and lower holes in the housing sidewall. Rust discloses a latch having a handle assembly including an escutcheon plate adapted to be mounted on the stile of the door, a handle 22 mounted on the escutcheon plate, a latch actuator device mounted on the escutcheon plate 12 and including a tail member 11 adapted to extend through an aperture in the stile for receipt by the actuator member, and upper and lower fastener 23 members extending through upper and lower holes in 5 the escutcheon plate, through the stile, and through the upper and lower holes in the housing sidewall. It would have been obvious to utilize the handle assembly taught by Rust on the latch assembly of Sperry in order to provide an assembly for a sliding glass door.

Allowable Subject Matter

Claims 8-9 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit:

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The list of prior art contain methods of constructing latch assemblies.

U.S Pat. No. 4,973,091 to Paulson et. al.

U.S. Pat. No. 1,716,113 to Carlson

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fredrick Conley whose telephone number is (703) 308-7468.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Meyers, can be reached on (703) 308-3868. The fax phone number for this Group is (703) 305-3597.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [steven.meyers@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Art Unit:

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

SUZANNE DINO PRIMARY EXAMINER GROUP 3500

FC

August 17, 1997

Applicant's Copy

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

PTO Draftpersons review all originally filed drawings regardless of whether they are designated as formal or informal. Additionally, patent Examiners will review the drawings for compliance with the regulations. Direct telephone inquiries concerning this review to the Drawing Review Branch, 703-305-8404.

The drawings filed (insert date), are						
drawings when necessary. Corrected drawings must be submitted according to the instructions on the back of this Notice.	Fig(s) Cross section not drawn same as view with parts in cross section with regularly spaced parallel oblique strokes. Fig(s)					
DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color. Not black solid lines. Fig(s) Color drawings are not acceptable until petition is granted.	8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s)					
Fig(s) 2. PHOTOGRAPHS. 37 CFR 1.84(b) — Photographs are not acceptable until petition is granted. Fig(s) — Photographs not properly mounted (must use brystol board or	9. SCALE. 37 CFR 1.84(k) Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) Indication such as "actual size" or scale 1/2" not permitted.					
photographic double-weight paper). Fig(s)	Fig(s)					
Fig(s) Group of waveforms not presented as a single figure, using common vertical axis with time extending along horizontal axis.	Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (except for color drawings). Fig(s)					
Fig(s) Individuals waveform not identified with a separate letter designation adjacent to the vertical axis. Fig(s)	11. SHADING. 37 CFR 1.84(m) Solid black shading areas not permitted. Fig(s).					
4. TYPE OF PAPER. 37 CFR 1.84(c) Paper not flexible, strong, white, smooth, nonshiny, and durable. Sheet(s) Erasures, alterations, overwritings, interlineations, cracks, creases, and folds copy machine marks not accepted. Fig(s)	Shade lines, pale, rough and blurred. Fig(s) 12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p) Numbers and reference characters not plain and legible. 37 CFR					
Mylar, velum paper is not acceptable (too thin), Fig(s) 5. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes: 21.6 cm. by 35.6 cm. (8 1/2 by 14 inches) 21.6 cm. by 33.1 cm. (8 1/2 by 13 inches)	1.84(p)(1) Fig(s) Numbers and reference characters not oriented in same direction as the view. 37 CFR 1.84(p)(1) Fig(s) English alphabet not used. 37 CFR 1.84(p)(2)					
21.6 cm. by 27.9 cm. (8 1/2 by 11 inches) 21.0 cm. by 29.7 cm. (DIN size A4) All drawing sheets not the same size. Sheet(s) Drawing sheet not an acceptable size. Sheet(s)	Fig(s)					
6. MARGINS. 37 CFR 1.84(g): Acceptable margins: Paper size	13. LEAD LINES. 37 CFR 1.84(q) Lead lines cross each other. Fig(s) Lead lines missing. Fig(s)					
21.6 cm, X 35.6 cm, 21.6 cm, X 33.1 cm, 21.6 cm, X 27.9 cm, 21.0 cm, X 29.7 cm, (8 1/2 X 14 inches) (8 1/2 X 13 inches) (8 1/2 X 11 inches) (DIN Size A4) T 5.1 cm, (2") L .64 cm, (1/4") L .64 cm, (1/4") L .64 cm, (1/4") L .64 cm, (1/4")	14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t) Sheets not numbered consecutively, and in Arabic numerals, beginning with number 1. Sheet(s)					
B .64 cm. (1/4") .64 cm. (1/4") .64 cm. (1/4") 1.0 cm.	15. NUMBER OF VIEWS. 37 CFR 1.84(u) Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s)					
Mangins do not conform to chart above. Sheet(s)	View numbers not preceded by the abbreviation Fig.					
VIEWS. 37 CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes.	16. CORRECTIONS. 37 CFR 1.84(w) Corrections not made from prior PTO-948. Fig(s)					
All views not grouped together. Fig(s) Views connected by projection lines or lead lines. Fig(s)	DESIGN DRAWING. 37 CFR 1.152 Surface shading shown not appropriate. Fig(s) Solid black shading not used for color contrast.					
Partial views. 37 CFR 1.84(h) 2	Fig(s)					
COMMENTS:						
i v	*					
PRV	IPWER (4.10717) DATE 3/27/47					